

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda February 12, 2013 7:00 P.M.

Meeting was called to order at 7:16 p.m.

Call to Order/Roll Call of Council Members – **6 Council Members Present**

- **Council Members Present:**
 - **Councilwoman Vivian Casals Munoz**
 - **Councilwoman Katharine Cue-Fuente**
 - **Council President Isis Garcia-Martinez**
 - **Council Vice President Luis Gonzalez**
 - **Councilman Paul Hernandez**
 - **Councilwoman Lourdes Lozano**
- **Council Members Absent:**
 - **Councilman Jose Caragol**
- **Also present were:**
 - **Carlos Hernandez, Mayor**
 - **Marbelys Fatjo, Acting City Clerk**
 - **William Grodnick, City Attorney**

Invocation given by Marbelys L. Fatjo, Acting City Clerk

Pledge of Allegiance led by Councilwoman Vivian Casals-Muñoz

ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK

The following guidelines have been established by the City Council:

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

Presentations –

- (1) Award of Merit presented by Mayor Carlos Hernandez and Council for the 2013 Jose Marti Parade Essay Contest to the following recipients: Samantha Blain (Hialeah Educational

Academy), Lisandra Cabrera (Mater Academy Charter), Ernesto Canela (Hialeah Miami Lakes Senior High), Chabely Carrasco-Reyes (Mater Academy Charter), Elaine Doval (Hialeah Miami Lakes Senior High), Danexsy Duran (Hialeah Gardens Senior High), Ramyl Lopez (Hialeah Gardens Senior High), Gleisys Marrero (Hialeah Gardens Senior High), Maria Perez (Hialeah Miami Lakes Senior High), Yohanet Perez (Mater Academy Charter), Lianet Rosado (Mater Academy Charter), Ivette Sanchez (Hialeah Gardens Senior High).

- (2) Monetary award for the 2013 Jose Marti Parade Essay Contest presented by the following institutions: Masones, Caballeros Catolicos, Kwanis, and Lions Club to the following recipients: Samantha Blain (Hialeah Educational Academy), Lisandra Cabrera (Mater Academy Charter), Ernesto Canela (Hialeah Miami Lakes Senior High), Chabely Carrasco-Reyes (Mater Academy Charter), Elaine Doval (Hialeah Miami Lakes Senior High), Danexsy Duran (Hialeah Gardens Senior High), Ramyl Lopez (Hialeah Gardens Senior High), Gleisys Marrero (Hialeah Gardens Senior High), Maria Perez (Hialeah Miami Lakes Senior High), Yohanet Perez (Mater Academy Charter), Lianet Rosado (Mater Academy Charter), Ivette Sanchez (Hialeah Gardens Senior High).
- (3) Presentation by the Department of Grants and Human Services on recent national recognition of the City of Hialeah for exemplary and innovative use of federal grant funds.

1. Announcement of Amendments/Corrections to the Agenda – **None**

2. Consent Agenda –

Motion to Approve the Consent Agenda made by Councilwoman Cue-Fuente and seconded by Council Vice President Gonzalez - Motion passed 6-0.

- A. Request from Hialeah Spanish Seventh Day Adventist Church located at 1425 East 1 Avenue, Hialeah, Florida, for a street closure permit to hold a Health Expo on East 1 Avenue from 14 to 15 Street on Sunday, March 3, 2013 from 9:00 a.m. to 4:00 p.m. (*Recommendations from Police & Fire Dept.*) (OFFICE OF THE CITY CLERK) **APPROVED (6-0)**
- B. Proposed resolution declaring no objection and supporting the co-designation by the Board of County Commissioners of Miami-Dade County, pursuant to County Resolution No. R-49-13, designating West 12 Avenue between West 44 Place and West 49 Street, Hialeah, Florida, as “Operation Pedro Pan Avenue”, in honor and recognition of all the youths, parents, religious leaders, and government officials who made Operation Pedro Pan a success, with the cost of signage to be paid by the applicant. (OFFICE OF THE CITY CLERK) **APPROVED (6-0) RESOLUTION 2013-09**
- C. Proposed resolution approving a Department of Water and Sewers Submetering Agreement with Los Suenos Condominium Association, Inc., a Florida corporation, that provides for submetering for 396 units located at 6195 West 18 Avenue, Hialeah, Florida for a term of five years, with five-year renewals, and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the city, to execute the agreement in furtherance thereof. (WATER & SEWERS DEPT.) **APPROVED (6-0) RESOLUTION 2013-10**

- D. Request permission to award Hialeah bid # 2012/13-3230-00-016 to Cityworks Construction, LLC, lowest responsive bidder, for Stucco at the 36-Unit Elderly Housing Project, for a total cumulative amount not to exceed \$127,849. (GRANTS & HUMAN SERVICES DEPT. AND CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0)**
- E. Request permission to increase purchase order # 2013-1332, since it is advantageous to the City, issued to HD Supply Electrical, LTD, for light fixtures at Milander Auditorium, by an additional amount of \$3,754.36, for a new total cumulative amount not to exceed \$22,973.71. (GRANTS & HUMAN SERVICES DEPT. AND CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0)**
- F. Request permission to waive competitive bids, since it is advantageous to the City due to time constraints in the completion of the project, and issue a purchase order to Stage Equipment and Lighting, Inc., for the Stage Lighting & Dimmer System at Milander Auditorium, for a total cumulative amount not to exceed \$51,346. (GRANTS & HUMAN SERVICES DEPT. AND CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0)**
- G. Request permission to issue a purchase order to Pat's Pump & Blower, L.L.C., sole source vendor, to purchase a replacement sewer pump, for a total cumulative amount not to exceed \$16,571.42. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0)**
- H. Request permission to waive competitive bids, since it is advantageous to the City due to time constraints in the completion of the project, and issue a purchase order to Daktronics, Inc., for the Outdoor L.E.D. Marquee Sign at Milander Auditorium, for a total cumulative amount not to exceed \$50,999. (GRANTS & HUMAN SERVICES DEPT. AND CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0)**
- I. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Opa-Locka as a participating Municipal Police Department to provide for requesting and rendering assistance for routine and intensive law enforcement situations from date of signing through and including January 1, 2015, a copy of which is attached hereto as Exhibit "A". (POLICE DEPT.) **APPROVED (6-0) RESOLUTION 2013-11**
- J. Request for consent to transfer a cellular tower ground lease for the premises located at or about 651 East 4 Avenue, Hialeah, Florida, Benny Babcock Park, from T-Mobile Tower USA LLC, to Crown Castle International Corporation. (ADMINISTRATION) **APPROVED (6-0)**
- K. Request for consent to transfer a cellular tower ground lease for the premises located at or about 6051 West 2 Avenue, Hialeah, Florida, O'Quinn Park, from T3 Tower 2 LLC, to Crown Castle International Corporation. (ADMINISTRATION) **APPROVED (6-0)**
- L. Request for consent to transfer a cellular tower ground lease for the premises located at or about 750 East 35 Street, Hialeah, Florida, Bright Park, from T3 Tower 2 LLC, to Crown Castle International Corporation. (ADMINISTRATION) **APPROVED (6-0)**

- M.** Proposed resolution awarding three-year licenses subject to annual compliance review to Magic Towing & Recovery, Inc. and Midtown Towing of Miami, Inc. to perform police or city-initiated towing services on a rotational basis; directing the Law Department to draft and negotiate the License Agreement; authorizing the Mayor and the Acting City Clerk, on behalf of the City to execute such agreement in furtherance thereof. (LOCAL BUSINESS TAX) **APPROVED (6-0) RESOLUTION 2013-12**
- N.** Request permission to increase purchase order # 2013-680, since it is advantageous to the City, issued to Gus Machado Ford, Inc., to purchase automobile replacement Ford parts at cost plus 8%, by an additional amount of \$15,000, for a new total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0)**
- O.** Proposed resolution authorizing the transfer of unencumbered appropriation balances or a portion thereof between classifications of expenditures within an office or department within the General Fund; within the Special Revenue Funds, and in particular, the Streets Transportation Fund, Police Department LETF-State, Fire Prevention Fund, Fire Rescue Transport Fund, Park Grant and Impact Fee Fund, Metro Medical Response System Grant Fund, Police Grant Fund, E-911 Wireless Fund, Affordable Housing Fund, Hialeah Circulator Fund, 3-Cent Local Option Gas Tax Fund, ECS & Library Grants Fund, Building Department Fund and CITT Fund, within Capital Project Funds, and in particular, Palm Center Fund, State Road I-75 and NW 138 Street Interchange Fund and MDCPW-NW 138 Street Fund; and within Enterprise Funds and in particular, Solid Waste Fund, Water & Sewers Department and Stormwater Fund, all as summarized and itemized in the schedule attached as Exhibit "1" and made a part hereof. (OFFICE OF MANAGEMENT & BUDGET) **APPROVED (6-0) RESOLUTION 2013-13**
- P.** Request permission to increase purchase order # 2013-594, issued to Mansfield Oil Company of Gainesville, Inc, to supply gasoline and diesel fuel for city vehicles, by an additional amount of \$650,000 as an incremental payment for a four-month supply of gasoline and fuel at the contracted percentage over the daily fuel price, for a new total cumulative not to exceed \$1,300,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0)**
- Q.** Request permission to increase purchase order # 2013-595, issued to Macmillan Oil Company of Florida, Inc., to supply gasoline and diesel fuel for City vehicles, by an additional amount of \$450,000 as an incremental payment for a four-month supply of gasoline and fuel at the contracted percentage over the daily fuel price, for a new total cumulative amount not to exceed \$900,000. (FLEET MAINTENANCE DEPT.) **APPROVED (6-0)**
- R.** Request permission to increase purchase order # 2013-81 to Schindler Elevator Company, to cover the expanded scope of services, maintenance and repair of 300-unit project elevators, by an additional amount of \$7,182.00, for a new total cumulative amount not to exceed \$21,967.08. (PURCHASING DEPT.) **APPROVED (6-0)**
- S.** Request permission to increase purchase order # 2013-777, issued to Overland Carrier, Inc., for additional fill material at Milander Auditorium, by an additional amount of \$20,000, for a new total cumulative amount not to exceed \$35,000. (GRANTS & HUMAN

SERVICES DEPT. AND CONSTRUCTION & MAINTENANCE DEPT.) **APPROVED (6-0)**

- T. Request permission to issue a purchase order to Iron Mountain in the amount of \$30,000 to complete the extended contract term with Iron Mountain for outside storage and retrieval of records through September 30, 2013. (OFFICE OF THE CITY CLERK) **APPROVED (6-0)**
3. Second reading and public hearing of proposed ordinance amending Chapter 86 entitled "Taxation and Fees", Article IV. Ad Valorem Tax, Division 3. Homestead Exemption, of the Code of Ordinances by adding a new section, Hialeah Code § 98-177 entitled "Additional Homestead Exemption for Low-Income Senior Citizens Who Are Long-Term Residents" to provide for an additional homestead exemption for certain low-income qualifying senior citizens who are long-term residents to be applied to millage rates levied by the County; and revising Hialeah Code § 86-176 entitled "Additional Homestead Exemption for certain qualifying senior citizens" to clarify that the existing homestead exemption applies to current and future tax rolls; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0) ORDINANCE 2013-06**

Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Casals-Muñoz

4. Second reading and public hearing of proposed ordinance amending Chapter 98 entitled "Zoning", Article VI Supplementary District Regulations, Division 9. Easements and Rights-Of-Way, of the Code of Ordinances and in particular, revising Hialeah Code § 98-2156 entitled "Private Roads" to allow Private Internal Roads in a Residential Development District located in the Annexation Area subject to site plan approval; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (LAW DEPT.) **APPROVED (6-0) ORDINANCE 2013-07**

Motion to Approve made by Councilwoman Casals-Muñoz and seconded by Councilwoman Cue-Fuente

5. Second reading and public hearing of proposed ordinance amending Chapter 98 entitled "Zoning", Article V. Zoning District Regulations, Division 22. M-1 Industrial District, of the Code of Ordinances and in particular, adding a new section Hialeah Code § 98-1373 entitled "Minimum Square Footage of Building" to provide that any building on the premises shall have no less than 1,000 square feet of total floor area, including indoor bathroom facilities; and miscellaneous revision and renumbering; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause and providing for an effective date. (LAW DEPT.) **APPROVED (6-0) ORDINANCE 2013-08**

Motion to Approve made by Councilwoman Casals-Muñoz and seconded by Councilwoman Cue-Fuente

6. First reading of proposed ordinance authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the city, to enter into a Loan Agreement with TD Bank, N.A., providing for a loan from TD Bank, N.A. to the city in an amount not to exceed \$15,000,000 to provide Bridge Financing for the city's payments for its Employee Retirement Plan, in a form acceptable to the City Attorney, providing for the sale and issuance of the city's Tax Anticipation Note, Series 2013, in the principal amount not to exceed \$15,000,000 in substantially the form attached to said Loan Agreement; awarding such note to TD Bank, N.A. by Negotiated Sale; designating such note as "City of Hialeah Tax Anticipation Note, Series 2013"; providing a Covenant to Budget and appropriate from all the city's legally available revenues of the city, including, but not limited to, Ad Valorem Taxes, and providing for a pledge of and lien on the city's Ad Valorem Tax Revenues, as security for the repayment of the note and interest thereon; delegating to the Mayor the authority to finalize the terms and conditions of the note including, without limitation, the maturity date, principal amount and interest rate thereon; authorizing the expenditure of not to exceed \$20,000 for bank attorney's and bank administrative fees; and further authorizing the execution of any and all documents in furtherance therewith; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED (6-0)**

Motion to Approve made by Councilman Hernandez and seconded by Councilwoman Casals-Muñoz

7. Board Appointments – **None**
8. Unfinished Business – **Mayor Hernandez asked the Council, Violeta Blanco (Director of the Code Enforcement Department) and Debora Storch (Director of the Planning & Zoning Department) for suggestions regarding LED signs and flags used by business owners as advertisement.**
9. New Business – **Mayor Hernandez announced the Mom and Pop Grant Program for Miami Dade County – District 13. Applications are being accepted February 15, 2013 through February 28, 2013.**

Councilwoman Casals-Muñoz announced the next time Hialeah Park opens, it will be completely different, and encouraged everyone to visit Hialeah Park.

Councilman Hernandez reminded everyone of the upcoming City event "Art on Palm".

10. Comments and Questions –

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's

signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ 1.** Second reading and public hearing of proposed ordinance granting a variance permit to allow outdoor dining for a proposed restaurant, having a floor area of 751 square feet, where a minimum of 850 square feet is required, and allow 2 parking spaces, where 5 parking spaces are required, contra to Hialeah Code §§ 98-1371 (a)(1) and 98-2189(10). **Property located at 1899 West Okeechobee Road, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Maria Elena Escalona*) **APPROVED (6-0) ORDINANCE 2013-09**

Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Casals-Muñoz

- PZ 2.** Second reading and public hearing of proposed ordinance granting a variance permit to allow the consumption of beer and wine on the premises in a restaurant located on property zoned M-2 (Industrial District), where beer and wine consumption in a restaurant is not allowed, contra to Hialeah Code § 98-1411(A)(1). **Property located at 3621 N.W. 54 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Nelida Morejon*) **(Item was tabled at the request of the applicant – 2/12/2013) APPROVED (6-0)**

Motion to Table made by Councilwoman Casals-Muñoz and seconded by Councilman Hernandez

- PZ 3.** First reading of proposed ordinance rezoning 73.25 acres of land from GU (Interim District) to Residential Development District, having a minimum of 25% developed as RH-1 (One Family District), a minimum of 20% and a maximum of 30% developed as R-4 (Townhouse), maximum of 20% developed as RH-3-M (Multiple Family District, 8 to 14 units per net acre) and a maximum of 10% developed as R-3-MM (Multiple Family District, 15 to 24 units per net acre); substituting the requirements of the Residential Development District by approving the Site Plan dated December 19, 2012 and Pattern Book prepared by Pascual Perez Kiliddjian & Associates, Architects and Planners, and by approving the Landscape Plan dated September 21, 2012 prepared by Witkin Hults Design Group; Reaffirming Declaration of Restrictions dated August 14, 2007 and the obligation to pay the city the sum of \$500,000 to be used for Roadway Improvements; releasing the Declaration of Restrictions dated June 8, 2006, as recorded in Official Records Book 24645, Pages 2648-2655. of the Miami-Dade County Public Records and the Declaration of Restrictions dated November 10, 2006, as recorded in Official Records Book 25127, Pages 4785-4792, of the Miami-Dade County Public Records and cancelling the same of record; and granting a Variance Permit to allow a Temporary Waiver of Plat, provided that the property will be replatted in 18 months from the grant of the waiver; and repealing and rescinding Hialeah, Fla., Ordinance 06-31 (May 26, 2006) and Hialeah, Fla., Ordinance 06-80 (Nov. 16, 2006); **property located on a vacant parcel of land on the South side of**

NW 146 Street and the North side of NW 139 Street, East of NW 97 Avenue and West of the I-75 Expressway, Hialeah, Florida. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Bellagio Lennar LLC, A Florida Limited Liability Company*) **APPROVED (6-0)** (*Hugo Arza with the Law Firm on Holland and Knight, 701 Brickell Avenue, Suite 3000, Miami, Florida*)

Motion to Approved made by Councilwoman Cue-Fuente and seconded by Council Vice President Gonzalez

- PZ 4.** First reading of proposed ordinance granting a Special Use Permit (SUP) to allow an Adult Congregate Living Facility (ACLF) with a maximum bed capacity of 34 and granting a Variance Permit to allow a lot coverage of 36.7%, where a maximum lot coverage of 30% is allowed, to allow 5 parking spaces, where at least 11 parking spaces are required, to allow all parking spaces to back out on to the street, where backout parking is only allowed in low density Residential Districts, to allow a rear setback of 15 feet, where 20 feet are required, and to allow a South side setback of 2.3 feet, where 10 feet are required, contra to Hialeah Code §§ 98-590, 98-591, 98-2056(b)(2), 98-2189(21) and 98-2190. **Property located at 1315 Southeast 9 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Ceasar Mestres*) **(Item was tabled at the request of the applicant – 2/12/2013) APPROVED (6-0)**

Motion to Table made by Council Vice President Gonzalez and seconded by Councilman Hernandez

- PZ 5.** First reading of proposed ordinance granting a Variance Permit to allow a single family home on a substandard-sized lot having a width of 42.49 feet, where a minimum average width of 75 feet is required, a total area of 5,879 square feet, more or less, where a total area of at least 7,500 square feet is required and a corner side setback of 10 feet, where 15 feet are required, contra to Hialeah Code §§ 98-499 and 98-501. **A vacant lot located at the Northeast corner of the intersection between West 2 Avenue and West 33 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: ECO Hialeah, LLC c/o Eugenio Lage*) **(Item was tabled at the request of the Council – 2/12/13)** (*Octavio Santurio, 6262 SW 40 Street, Miami, Florida*)

Motion to Table made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente

- PZ 6.** First reading of proposed ordinance granting a Variance Permit to allow a Detached Second Living Unit to be used as an Extended Family Living Quarters and granting an adjustment of 15.7 feet, as to the distance between the principal residence and the detached living unit, where 20 feet are required, contra to Hialeah Code §§ 98-496(b)(4) and 98-502. **Property located at 390 West 32 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Damaris Cabrera*) **(DENIED (6-0))**

Motion to Deny made by Councilwoman Casals-Muñoz and seconded by Council Vice President Gonzalez

- PZ 7.** First reading of proposed ordinance granting a Variance Permit to allow 20 parking spaces, where at least 27 are required, of which 5 spaces will be on street parking, allow a 4.5 foot front setback, where 20 feet are required, allow no rear setback, where 15 feet are required, and allow 9.7% of landscaped area, where a minimum 18% landscaped area is required, contra to Hialeah Code §§98-1115, 98-1117, 98-2189(7), 98-2192(b) and 98-2233, on property zoned C-2 (Liberal Retail Commercial District). **Property located at 2464 – 2488 Palm Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: 2488 Palm Avenue, LLC*) **APPROVED (6-0)** (*Vance Lee, 2412 NE 32 Avenue, Ft. Lauderdale, Florida*)

Motion to Approve made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente

- PZ 8.** First reading of proposed ordinance approving a Final Plat of Mai Guira Subdivision, accepting all dedication of Avenues, Streets, Roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located at 8275 West 12 Avenue, Hialeah, Florida.** (*Applicant: Mai Guira Inc.*) **APPROVED (6-0)** (*Andrew D. Conner, Biscayne Engineering Co. and Yoando Puig, 1840 West 63 Street, Hialeah, FL 33012*)

Motion to Approve made by Councilwoman Casals-Muñoz and seconded by Council Vice President Gonzalez

LAND USE

- LU 1.** First reading of proposed ordinance amending the Future Land Use Map from Industrial to Medium Density Residential; **Property located at 34XX West 80 Street, Hialeah, Florida,** zoned M-1 (Industrial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Paraiso Gardens, LLC*) **APPROVED (5-1) VCM “No”**

Motion to Approve made by Councilwoman Cue-Fuente and seconded by Council Vice President Gonzalez

- LU 2.** First reading of proposed ordinance amending the Future Land Use Map from Industrial to High Density Residential; **Property Located North of West 78 Street, between West 24 Avenue and West 25 Avenue, Hialeah, Florida,** zoned M-1 (Industrial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Palm West Park Apartments, LLC*) **APPROVED (5-1) VCM “No”**

Motion to Approve made by Councilwoman Cue-Fuente and seconded by Councilman Hernandez

NEXT CITY COUNCIL MEETING: February 26, 2013 at 7:00 P.M.

NEXT OVERSIGHT CHARTER SCHOOL MEETING: February 26, 2013 at 6:00 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).